THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :20867 2007

DATED:04-10-2007

BETWEEN:

G.V.Narayana Achary.

..... PETITIONER

AND

The Government of Andhra Pradesh,
Rep., by its Principal Secretary,
Revenue (Assn-I) Department,
Secretariat Buildings,
Hyderabad & 2 others.

.....RESPONDENTS

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ORDER:

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Revenue appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the respondents in not permitting the petitioner to sell away the dry land of an extent of Ac.6.72 cents in S.No.595; Ac.1.61 cents of Ramannadoravalasa village, Bobbili mandal, Vizianagaram District, as illegal, arbitrary, and contrary to the G.O.Ms.No.1045 Revenue (Assn-I) Department, dated 15-12-2004.

3. It is the case of the petitioner that he is freedom fighter and was allotted an extent of Ac.6.72 cents in Sy.No.595 and Ac.1.61 cents in Sy.No.596 situated at Ramannadoravalasa village, Bobbili mandal, Vizianagaram District and he has been in continuous possession and enjoyment of the same. It is stated that at the time of assignment of the land in favour of the freedom fighters there was a prohibition not to alienate the said land but the G.O.Ms.No.185, Revenue (Asn.I) Department, dated 11-03-1997, and G.O.Ms.No.917, Revenue (Asn-I), dated 31-10-1997, have been amended by order of the Government in G.O.Ms.No.1045 Revenue (Asn-I) department, dated 15-12-2004, entitling the freedom fighters to sell away their assigned lands and house sites after a period of ten years.

4. It is the case of the petitioner that he has no land except the

said assigned land and he wanted to sell away the said land and accordingly made a representation, dated

31-05-2007, before the 3rd respondent-Tahsildar, Bobbili, requesting to accord sanction for sale of the said lands. It is stated that the said representation of the petitioner,

dated 31-05-2007, has not been considered and disposed of so far.

5. Having regard to the facts and circumstances of the case, without expressing any opinion on the merits of the case with regard to the entitlement of the petitioner to sell away the assigned lands, 3rd respondent is directed to consider and dispose of the representation of the petitioner, dated 31-05-2007, in accordance with law as expeditiously as possible, without any undue delay.

6. Accordingly, Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

04th October, 2007.

Note:

Furnish C.C. of the order
within one week.

B/o

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